

BEFORE THE BOARD OF PHYSICAL THERAPY EXAMINERS  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the ) NOTICE OF AMENDMENT  
amendment of ARM 8.42.404, )  
8.42.405, 8.42.406, 8.42.409, )  
8.42.410, and 8.42.416 )  
pertaining to temporary, out- )  
of-state and renewal licenses, )  
foreign-trained applicants )  
and continuing education )

TO: All Concerned Persons

1. On May 22, 2003, the Board of Physical Therapy Examiners published MAR Notice No. 8-42-24 regarding the proposed amendment of the above-stated rules relating to temporary, out-of-state and renewal licenses, foreign-trained applicants and continuing education at page 1027, 2003 Montana Administrative Register, issue no. 10.

2. The Board has amended ARM 8.42.404, 8.42.405, 8.42.409, 8.42.410 and 8.42.416 exactly as proposed.

3. The Board has amended ARM 8.42.406 as proposed, but with the following change to correct a typographical error in the catchphrase, stricken matter interlined, new matter underlined:

~~8.24.406~~ 8.42.406 LICENSURE OF OUT-OF-STATE APPLICANTS  
(1) through (4) remain as proposed.

4. Five written comments were received. The following is a summary of the comments and the Board's responses.

COMMENT 1: Four comments were received that opposed the proposed amendment of ARM 8.42.416, Continuing Education. Each of the four comments argued against the Board's limiting the number of continuing education credits allowed by correspondence and online courses. Three comments urged the Board to adopt unlimited online and correspondence course credits. One comment asked that the Board maintain the current continuing education requirements.

RESPONSE 1: The Board believes that continuing education which provides for interaction between and among the presenter(s) and the attendees is more likely to add to the knowledge and understanding of the attendee than continuing education where no such interaction is available. The Board notes that historically it has allowed only 10% of the required credits (two credits) to be earned through the passive medium of audio or video tapes. The Board further notes that historically, it has only allowed 20% of the

required credits (four credits) to be earned through the somewhat more interactive activity of online courses. The Board believes that correspondence courses do not provide any greater level of interaction than do online courses, and that correspondence courses and online courses should be treated equally. Accordingly, the Board declines to adopt the suggestion of some of the commenters to allow unlimited credit for self-study via online or correspondence courses, as well as the suggestion to leave the requirements unchanged.

COMMENT 2: One comment was received that opposed the amendment of ARM 8.42.410 regarding foreign graduates. The comment asks that the Board not limit the number of credentialing agencies listed in the previous rule.

RESPONSE 2: The Board notes that the credentialing agencies that were eliminated from the previous rule were eliminated because they no longer perform credentialing tasks. The proposed rule updates this outdated list of credentialing agencies. If, in the future, other entities begin credentialing foreign graduates, the Board will consider adding those entities to those listed in the rule.

BOARD OF PHYSICAL THERAPY  
EXAMINERS  
Brenda Mahlum, President

/s/ WENDY J. KEATING  
Wendy J. Keating, Commissioner  
DEPARTMENT OF LABOR & INDUSTRY

/s/ MARK CADWALLADER  
Mark Cadwallader  
Alternate Rule Reviewer

Certified to the Secretary of State October 6, 2003.